

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

DS-CONCEPT TRADE INVEST LLC,	:	Civil Action No. 16-429 (SRC)
	:	
Plaintiff,	:	
	:	ORDER
V.	:	
	:	
ATALANTA CORPORATION et al.,	:	
	:	
Defendants.	:	
	:	
	:	

CHESLER, District Judge

This matter having come before the Court on the motion for default judgment, pursuant to Federal Rule of Civil Procedure 55(b)(2), by Defendant Atalanta Corporation (“Atalanta”); and the Court having considered Atalanta’s submissions, and for the reasons stated in the accompanying Opinion, and good cause appearing,

IT IS on this 5th day of June, 2018,

ORDERED that Atalanta’s motion for default judgment (Docket Entry No. 176) is **GRANTED** in part and **DENIED** in part; and it is further
ORDERED that, as to the cross-claims against Gourmet Food Imports LTD (“Gourmet LTD”) and Gourmet Food Imports, LLC (“Gourmet LLC”) (collectively, the “Gourmet entities”) for breach of contract and aiding and abetting breach of fiduciary duty, the motion for default judgment is **GRANTED**, and default Judgment shall be entered on these cross-claims in Atalanta’s favor; and it is further

ORDERED that, as to the cross-claim against the Gourmet entities for fraud, the motion

for default judgment is **DENIED**; and it is further

ORDERED that, as to the motion for default judgment against Defendant Jikovski, the motion is **DENIED** without prejudice; and it is further

ORDERED that Atalanta is awarded damages against Defendants Gourmet Food Imports LTD and Gourmet Food Imports, LLC in the amount of \$1,506,036.47, to be reduced by any amounts Atalanta has received from sales of the nonconforming goods during the pendency of this motion.

s/ Stanley R. Chesler
Stanley R. Chesler, U.S.D.J